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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
CENTRAL DIVISION, SOUTHERN REGION**

BLUERIBBON COALITION, INC., et al.,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT,
et al.,

Defendants,

and

SOUTHERN UTAH WILDERNESS
ALLIANCE,

Intervenor-Defendant.

Case No. 4:25-cv-00022-DN

**[PROPOSED]
SCHEDULING ORDER
IN AN ADMINISTRATIVE CASE
UNDER DUCivR 7-4**

District Judge David Nuffer

Pursuant to Rule 7-4(c) of the Local Rules of Civil Practice of the United States District Court for the District of Utah, the parties submit this Proposed Scheduling Order.

I. Agency Decision Challenged

Plaintiffs BlueRibbon Coalition Inc. *et al.* challenge Defendants the United States Bureau of Land Management, et al. (“BLM”) December 2024 Decision Record (“DR”) adopting the San Rafael Swell Travel Management Plan (“TMP”).

II. Plaintiffs’ Grounds for Challenging Agency Decision

Plaintiffs raise claims challenging the TMP and DR based on the following authorities: (1) the John D. Dingell, Jr. Conservation, Management, and Recreation Act, 16 U.S.C. §§ 1211, 1132; (2) the “arbitrary and capricious” standard under the Administrative Procedure Act, 5 U.S.C. § 706(2); and (3) the National Environmental Policy Act (“NEPA”), 42 U.S.C. § 4321 *et seq.* *See* Complaint, ECF No. 1.

III. Plaintiffs’ Motion for Preliminary Injunction

Plaintiffs moved for a preliminary injunction seeking to enjoin implementation of the TMP. *See* ECF No. 4. Defendants and Intervenor-Defendant opposed Plaintiffs’ Motion. *See* ECF Nos. 21, 24. Plaintiffs filed a reply in support of their Motion. *See* ECF No. 26. Plaintiffs and Defendants have stated that they believe the Motion can be resolved through written briefs and have not requested oral argument. *See* ECF No. 19.

IV. Statements of Position in Response to Complaint

Defendants deny that BLM’s decision and agency action to approve the TMP and DR “is arbitrary and capricious, not supported by substantial evidence, or otherwise contrary to law.” Defendants’ Statement of Position 2, ECF No. 28. Defendants allege the following affirmative defenses: (1) Plaintiffs fail to state a claim upon which relief may be granted; (2) Plaintiffs lack standing to bring all or some of their claims; (3) Plaintiffs have failed to properly establish

subject matter jurisdiction; and (4) Plaintiffs have failed to demonstrate that some or all of their claims are ripe for judicial review. *Id.*

Intervenor-Defendant likewise denies that the TMP and DR was arbitrary, capricious or otherwise contrary to law with regard to “the aspects . . . challenged by Plaintiffs[.]” Intervenor-Defendant’s Response to Plaintiff’s Complaint, ECF No. 29. Intervenor-Defendant also raises the following affirmative defenses: (1) Plaintiffs fail to state a claim upon which relief may be granted for all or some of the claims in the complaint; and (2) all or some of Plaintiffs’ claims are not justiciable. *Id.*

V. Filing Dates of Relevant Documents

- a. Defendants transmit the Administrative Record (“AR”) to Counsel: **September 12, 2025**
- b. Conferral with Defendants on AR Contents: **October 10, 2025**
- c. Defendants’ lodging of the AR with the Court: **October 31, 2025**
- d. Motion to Supplement or Amend the AR: **November 21, 2025**. If such a motion is filed, the remainder of the schedule set out below is vacated and parties will submit a new Proposed Scheduling Order within 14 days of the Court’s Order on the AR Motion.
- e. Plaintiffs’ Opening Brief: **January 22, 2026**
- f. Defendants’ Response Brief: **March 20, 2026**
- g. Intervenor-Defendant’s Response Brief: **April 3, 2026**. Intervenor-Defendant’s Response Brief shall strive to not be duplicative of the Defendants’ Response Brief.
- h. Plaintiffs’ Reply Brief: **May 1, 2026**

DATED: this _____ day of _____ 2025.

BY THE COURT

District Judge David Nuffer

APPROVED:

/s/ Isabella Eldridge (with permission)

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